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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2083/LA4/1978. *Dated, Trivandrum, 15th February 1978.*

The University Laws (Amendment) Bill, 1978 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/559/MC.

Fifth Kerala Legislative Assembly
Bill No. 52

THE UNIVERSITY LAWS (AMENDMENT) BILL, 1978

A

BILL

further to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975.

Preamble.—WHEREAS it is expedient further to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975, for the purposes hereinafter appearing;

BE it enacted in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the University Laws (Amendment) Act, 1978.

(2) It shall come into force at once.

2. *Amendment of Act 30 of 1971.*—In the Cochin University Act, 1971 (30 of 1971), in section 10, for sub-section (6), the following sub-section shall be substituted, namely:—

"(6) The remuneration payable to, and the other conditions of service of, the Vice-Chancellor shall be determined by the Chancellor.".

3. *Amendment of Act 17 of 1974.*—In the Kerala University Act, 1974 (17 of 1974),—

(a) in section 10, for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) The remuneration payable to, and the other conditions of service of, the Vice-Chancellor shall be determined by the Chancellor.";

(b) in section 17, for items (8) and (9) under the heading "Ex-officio Members", the following items shall be substituted, namely:—

"(8) The Secretary to Government or the Additional Secretary to Government, General Education Department, to be nominated by the Government.

(9) The Secretary to Government or the Additional Secretary to Government, Higher Education Department, to be nominated by the Government.";

(c) in section 21, under the heading "Ex-officio Members", after item (d), the following item shall be inserted, namely:—

"(e) The Director of Collegiate Education.".

4. *Amendment of Act 5 of 1975.*—In the Calicut University Act, 1975 (5 of 1975),—

(a) in section 10, for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) The remuneration payable to, and the other conditions of service of, the Vice-Chancellor shall be determined by the Chancellor.";

(b) in section 17, for items (8) and (9) under the heading "Ex-officio Members", the following items shall be substituted, namely:—

"(8) The Secretary to Government or the Additional Secretary to Government, General Education Department, to be nominated by the Government.

(9) The Secretary to Government or the Additional Secretary to Government, Higher Education Department, to be nominated by the Government.".

STATEMENT OF OBJECTS AND REASONS

According to sub-section (3) of section 11 of the Cochin University Act, 1971, sub-section (5) of section 11 of the Kerala University Act, 1974 and sub-section (5) of section 11 of the Calicut University Act, 1975, the salary and other conditions of service of the Pro-Vice-Chancellor are to be determined by the Chancellor. But in the case of the Vice-Chancellors of the Cochin, Kerala and Calicut Universities, the Chancellor is empowered to fix their remuneration only. It is considered necessary to empower the Chancellor to determine the other conditions of service of the Vice-Chancellors also.

2. According to items (8) and (9) under the heading "Ex-officio Members" in section 17 of the Kerala University Act, 1974 and items (8) and (9) under the heading "Ex-officio Members" in section 17 of the Calicut University Act, 1975, the Secretary to Government, General Education and the Secretary to

Government, Higher Education are *ex-officio* members of the Senate. At present, the General Education Department is in the charge of an Additional Secretary to Government. For Administrative reasons, such a situation may arise in the case of the Higher Education Department also. It is therefore, considered necessary to empower the Government to nominate the Additional Secretary, General Education and the Additional Secretary, Higher Education to be *ex-officio* members of the Senate of the Kerala University and the Senate of the Calicut University.

3. The Director of Collegiate Education is not a member of the Syndicate of the Kerala University. But he is an *ex-officio* member of the Syndicate of the Calicut University and the Syndicate of the Cochin University. It is considered that the Director of Collegiate Education should be an *ex-officio* member of the Syndicate of the Kerala University also.

4. The Bill seeks to amend the Cochin University Act, 1971, the Kerala University Act, 1974 and the Calicut University Act, 1975, for the above purposes.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (6) of section 10 of the Cochin University Act, 1971, sub-section (7) of section 10 of the Kerala University Act, 1974 and sub-section (7) of section 10 of the Calicut University Act, 1975, as proposed to be substituted by clause 2, sub-clause (a) of clause 3 and sub-clause (a) of clause 4 respectively of the Bill provide that the remuneration payable to, and the other conditions of service of, the Vice-Chancellor shall be determined by the Chancellor.

2. Items (8) and (9) under the heading "Ex-officio Members" in section 17 of the Kerala University Act, 1974, as proposed to be substituted by sub-clause (b) of clause 3 of the Bill and items (8) and (9) under the heading "Ex-officio Members" in section 17 of the Calicut University Act, 1975, as proposed to be substituted by sub-clause (b) of clause 4 of the Bill empower the Government to nominate the Secretary to Government or the Additional Secretary

to Government, General Education Department and the Secretary to Government or the Additional Secretary to Government, Higher Education Department, as *ex-officio* members of the Senate of the Kerala University and the Senate of the Calicut University.

3. The powers proposed to be conferred on the Chancellor and the Government relate to matters of an administrative nature or matters of detail and therefore the delegation of legislative power is of a normal character.

U. A. BEERAN.